

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROSLYNN SIMMONS	:	CIVIL ACTION
	:	
v.	:	
	:	NO. 15-929
COMMUNITY EDUCATION	:	
CENTERS, INC.	:	

ORDER

AND NOW, this 20th day of April 2015, upon consideration of the Defendant's Motion to Dismiss and Strike ("Motion") (ECF Doc. Nos. 5, 6, 7), Plaintiff's voluntary withdrawal of Counts II, III and IV (ECF Doc. No. 11), Plaintiff's Opposition (ECF Doc. No. 12), following an April 1, 2015 Oral Argument, and in accord with the accompanying Memorandum, It is **ORDERED** that Defendant's Motion is **GRANTED in part and DENIED in part**:

1. The Court **GRANTS the Motion and dismisses Count I** for race discrimination under the Pennsylvania Human Relations Act ("PHRA").
2. The Court **GRANTS the Motion and dismisses state law Counts V, VI, VII, VIII** as barred by Pennsylvania's Workers' Compensation Act, 77 Pa.Con.Stat. § 481(a).
3. The Court **DENIES** the Motion as to Counts IX (hostile work environment under PHRA) and X (retaliation under PHRA).
4. Pursuant to Fed.R.Civ.P. 12(f), the Court **strikes paragraphs 10, 11, 15, 15, 21-22, 39, 42, 46-49, 53, 89, 94-109, 111, 113-117 with prejudice.**
5. Defendant shall answer the remaining allegations in the Complaint on or before **May 4, 2015.**


KEARNEY, J.